

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WILLIE JACKSON,

Plaintiff,

v.

STATE OF NEVADA,

Defendant.

Case No. 3:25-cv-00362-MMD-CLB

ORDER

On July 16, 2025, pro se plaintiff Willie Jackson, an inmate in the custody of the Nevada Department of Corrections, submitted an incomplete application to proceed *in forma pauperis*. (ECF No. 1). Plaintiff's application to proceed *in forma pauperis* is incomplete because he did not include a **financial certificate or an inmate trust fund account statement for the previous six-month period with the application**. The Court will deny Plaintiff's application without prejudice and give Plaintiff the opportunity to correct these deficiencies **by September 22, 2025**.

Additionally, Plaintiff did not file a complaint or any other document with his application to proceed *in forma pauperis*. Plaintiff has filed several cases in this Court, and it is not clear whether Plaintiff intended to open a new or to file his application to proceed *in forma pauperis* in a previously opened case. Because Plaintiff did not include a case number with the application to proceed *in forma pauperis*, the application was filed in a new case. If Plaintiff intended to file his application to proceed *in forma pauperis* in a previously opened case, then he may file a motion to voluntarily dismiss this case. If Plaintiff intended to open a new case, then he must file a complaint in this case.

I. DISCUSSION

A. Application to Proceed *in Forma Pauperis*

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee

1 for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55
2 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the
3 fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev.
4 Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate
5 must submit **all three** of the following documents to the Court: (1) a completed
6 **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the
7 Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a
8 completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is
9 properly signed by both the inmate and a prison or jail official; and (3) a copy of the
10 **inmate’s prison or jail trust fund account statement for the previous six-month**
11 **period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis*
12 status does not relieve an inmate of his or her obligation to pay the filing fee, it just means
13 that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

14 As explained above, Plaintiff’s application to proceed *in forma pauperis* is
15 incomplete. The Court will therefore deny Plaintiff’s application to proceed *in forma*
16 *pauperis* without prejudice and grant Plaintiff an extension of time to either pay the filing
17 fee or file a new fully complete application to proceed *in forma pauperis* with all three
18 required documents.

19 **B. Complaint**

20 “A civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P.
21 3. “A civil-rights complaint filed by a person who is not represented by an attorney must
22 be submitted on the form provided by this court or must be legible and contain
23 substantially all the information called for by the court’s form.” LSR 2-1. And the complaint
24 must be signed personally by the unrepresented party. Fed. R. Civ. P. 11(a).

25 **II. CONCLUSION**

26 It is therefore ordered that the application to proceed *in forma pauperis* (ECF No. 1)
27 is denied without prejudice.

1 It is further ordered that Plaintiff has **until September 22, 2025**, to either pay the
2 full \$405 filing fee or file a new fully complete application to proceed *in forma pauperis*
3 with all three required documents: (1) a completed application with the inmate's two
4 signatures on page 3, (2) a completed financial certificate that is signed both by the inmate
5 and the prison or jail official, and (3) a copy of the inmate's trust fund account statement
6 for the previous six-month period.

7 It is further ordered that Plaintiff has **until September 22, 2025**, to file a complete,
8 signed complaint on this Court's approved form.

9 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
10 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
11 to refile the case with the Court, under a new case number, when Plaintiff can file a
12 complete application to proceed *in forma pauperis* or pay the required filing fee and filed
13 a complaint.

14 The Clerk of the Court is directed to send Plaintiff Willie Jackson the approved form
15 application to proceed *in forma pauperis* for an inmate and instructions for the same as
16 well as he approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the
17 same.

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19 DATED: July 23, 2025.

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22 UNITED STATES MAGISTRATE JUDGE
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